

Amendment No. 1 to HB0699

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 1223

House Bill No. 699*

by deleting subdivision (a)(1) of the amendatory language of Section 1 and substituting instead the following:

(1) "Healthcare provider" means:

(A) Any provider licensed under this title who is authorized to diagnose and treat humans; or

(B) Any state-contracted crisis service provider employed by a facility licensed under title 33; and

AND FURTHER AMEND by deleting the following language from subsection (b) of the amendatory language of Section 1:

For the purposes of this section, a healthcare provider-patient relationship with respect to telemedicine or telehealth is created by mutual consent. The consent by the patient may be expressed or implied consent. The duties and obligations created by the relationship do not arise until the healthcare provider:

and substituting instead:

For the purposes of this section, a healthcare provider-patient relationship with respect to telemedicine or telehealth is created by mutual consent and mutual communication, except in an emergency, between the patient and the provider. The consent by the patient may be expressed or implied consent; however, the provider-patient relationship is not created simply by the receipt of patient health information by a provider unless a

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prior provider-patient relationship exists. The duties and obligations created by the relationship do not arise until the healthcare provider:

AND FURTHER AMEND by deleting in its entirety subdivision (c)(1) in the amendatory language of Section 1 and substituting instead the following:

(c)

(1) A healthcare provider who delivers services through the use of telehealth shall be held to the same standard of professional practice as a similar licensee of the same practice area or specialty that is providing the same healthcare services through in-person encounters, and nothing in this section is intended to create any new standards of care. Notwithstanding the previous sentence, telehealth services shall be provided in compliance with the guidelines created pursuant to part 4 of this chapter.

AND FURTHER AMEND by deleting in its entirety subdivision (d) in Section 1 and substituting instead:

(d) Sections 63-6-231 and 63-6-214(b)(21) shall not apply to the practice of telemedicine under this section.

AND FURTHER AMEND by deleting in its entirety subdivision (f) in Section 1 of the printed bill and substituting instead:

(f) The provisions of § 63-6-204(a) shall also apply to telemedicine.

AND FURTHER AMEND by deleting subdivision (h) of the amendatory language of Section 1.

AND FURTHER AMEND by deleting Section 2 in its entirety and renumbering the subsequent section.

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